

Message Text

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PAGE 01 STATE 073296
ORIGIN EB-08

INFO OCT-01 ISO-00 INT-05 SIG-03 MMO-04 OES-07 AF-10
EA-12 CTME-00 L-03 /053 R

DRAFTED BY DOI/FWS/89:3/21/7OWSKI/EB/OT/STA:GWHITE:JH
APPROVED BY EB/OT/STA:TO'HERRON
DOI/FWS/TL:TGROSZ
OES/ENP/EN:CHSANDERS
DOI/FWS/OIA:GBERTRAND (INFO)

-----079813 221126Z /20

R 220242Z MAR 78
FM SECSTATE WASHDC
TO ALL AFRICAN DIPLOMATIC POSTS
ALL EAST ASIAN AND PACIFIC DIPLOMATIC POSTS

UNCLAS STATE 073296

E.O. 11652: N/A

TAGS: SENV

SUBJECT: IMPORTATION OF IVORY INTO UNITED STATES

REF: ABIDJAN 2484

1. ASIAN ELEPHANT AND 159 OTHER SPECIES OF FAUNA AND FLORA HAVE BEEN ON FEDERAL ENDANGERED SPECIES LIST SINCE JUNE 14, 1976. IMPORTATION OF IVORY IS ONLY ALLOWED WITHOUT FEDERAL PERMIT IF THE IVORY WAS ACQUIRED BEFORE DECEMBER 28, 1973, AND WAS NOT HELD IN COURSE OF COMMERCIAL ACTIVITY ON THAT DATE. OTHERWISE, IMPORT PERMIT IS NEEDED FROM U.S. FISH AND WILDLIFE SERVICE. (PART 17, TITLE 50, CODE OF FEDERAL REGULATIONS CONTAINS ENDANGERED SPECIES RULES.) PERMITS ARE ONLY GRANTED FOR SCIENTIFIC RESEARCH OR FOR ENHANCING THE PROPAGATION OR SURVIVAL OF ENDANGERED WILDLIFE.

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2. AFRICAN ELEPHANT HAS BEEN PROPOSED FOR LISTING AS THREATENED SPECIES UNDER FEDERAL ENDANGERED SPECIES ACT, BUT FINAL DETERMINATION HAS NOT YET BEEN MADE. HOWEVER, BOTH ASIAN AND AFRICAN ELEPHANTS ARE PROTECTED BY CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA. EXPORT PERMITS ARE NEEDED FOR IVORY OF

AFRICAN ELEPHANT, UNDER CONVENTION. (TITLE 50, CODE OF
FEDERAL REGULATIONS PART 23 EXPLAINS U.S. REQUIREMENTS
UNDER THE CONVENTION.)

3. A CALIFORNIA STATE LAW, WHICH IS PATTERNED AFTER THE
FEDERAL LAW, PROHIBITS THE COMMERCIAL IMPORTATION OF
IVORY FROM EITHER THE ASIAN OR AFRICAN ELEPHANT. THE
CALIFORNIA ATTORNEY GENERAL'S OFFICE HAS WARNED THAT
PERSONS VIOLATING THE CALIFORNIA LAW ARE SUBJECT TO
A FINE OF NOT LESS THAN 1000 DOLLARS AND UP TO 5000
DOLLARS, AND A PRISON SENTENCE OF UP TO SIX MONTHS.

NEW YORK, ILLINOIS, MASSACHUSETTS HAVE SIMILAR LAWS.
IN ADDITION, THE SAME TYPE OF LEGISLATION IS BEING
CONSIDERED IN SEVERAL OTHER STATES. VANCE

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ENDANGERED SPECIES, IMPORT CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 mar 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE073296
Document Source: CORE
Document Unique ID: 00
Drafter: 3/21/70WSKI/EB/OT/STA:GWHITE:JH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780126-0061
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780336/aaaabeqs.tel
Line Count: 78
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 315a1fbf-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: ONLY
Reference: 78 ABIDJAN 2484
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3237029
Secure: OPEN
Status: NATIVE
Subject: IMPORTATION OF IVORY INTO UNITED STATES
TAGS: SENV, ETRD, US, XA
To: AF POSTS EA POSTS
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/315a1fbf-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014